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April 17, 2020

**VIA ELECTRONIC FILING**

The Honorable Jocelyn G. Boyd Chief  
Clerk and Executive Director  
Public Service Commission of South Carolina 101  
Executive Center Drive, Suite 100 Columbia, South  
Carolina 29210

**RE: Confirmatory Order Modifying License (Effective Upon Issuance) - Duke Energy Progress, LLC's H. B. Robinson Steam Electric Plant, Unit No. 2, Docket No. 50-261, License No. DPR-23, EA-19-025, Issued by The United States of America Nuclear Regulatory Commission, Dated March 11, 2020 Docket ND-2020-10-E**

Dear Ms. Boyd:

Duke Energy Progress ("DEP") appreciates the Commission's interest in matters related to the continued safe operation of its nuclear fleet in South Carolina. Understanding the current Covid-19 crisis has frustrated the feasibility of an allowable ex parte briefing, DEP submits this letter to ensure the Commission nonetheless has a timely explanation of the recent U.S. Nuclear Regulatory Commission (NRC) Confirmatory Order dated March 11, 2020 (the "NRC Order").

The NRC Order details the actions voluntarily enacted by Duke Energy to address three apparent violations<sup>1</sup> the NRC was in the process of evaluating related to Duke Energy's fire watch and operator rounds implementation and documentation at the DEP Robinson Nuclear Plant identified in 2017. The NRC initially identified such issues as a part of the normal NRC regulatory oversight process, and DEP worked with the NRC to develop measures aimed at enhancing not only DEP's but all of Duke Energy's nuclear fire watch and operator rounds programs through communications, training and oversight. DEP experienced no outage or reduction in generation output as a result, and as such DEP experienced no increase in generation cost. DEP did not incur any financial penalty associated with the NRC Order.

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<sup>1</sup> Duke Energy acknowledged 3 violations had occurred, however the NRC, based on actions the Company had completed and others committed, elected to not formally cite the violations and did not propose any civil penalty.

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Before identifying issues at the Robinson Plant, NRC inspectors observed several instances of log discrepancies at some plants around the United States. Subsequently, informed by the agency's experience in the matter, the NRC's resident inspector assigned to the Robinson Plant noted discrepancies in the plant's fire watch logs in September 2017. Fire watches are a process in which individuals are tasked with visually watching or inspecting an assigned location for visible signs of fire, unauthorized fire hazards, changing conditions that could contribute to increased fire risk, and housekeeping practices. Employees complete fire watch documentation in fire watch logs.

After receiving the NRC's information on the fire watch log discrepancies in 2017, Duke Energy initiated a comprehensive internal review to identify any errors and discrepancies in the fire watch logs. The Company expanded the internal investigation to include a fleetwide review of fire watch practices as well as a review of operator rounds. Operator rounds involve Auxiliary Operators monitoring and inspecting local plant conditions, system and equipment operation, and detecting actual or potential problems that could hamper safe plant, system, or component operation.

Through its internal investigation into the fire watches at issue, the Company also found that some Auxiliary Operators had not properly conducted operator rounds. This was a procedural compliance issue, but did not result in any other adverse conditions with regard to plant operations. As a result, Duke Energy instituted and completed twenty-two (22) corrective actions, including personnel actions, evaluations, training, fleetwide communications, enhanced written instructions, and increased oversight in order to address the issues identified by the NRC and subsequently the Company.

Following Duke Energy's internal review, the NRC also conducted a review of the situation. Based on its review, the NRC was assessing possible enforcement options, and invited Duke Energy to resolve the matter through the NRC's Alternative Dispute Resolution (ADR) process. The ADR process is completely voluntary and provides a constructive opportunity for the licensee and the NRC to mutually agree on corrective actions to close issues without need for any further action. The ADR process also allows the NRC to gain a fuller understanding of underlying information and issues and arrive at better solutions.

Through ADR, the NRC and DEP mutually agreed upon several corrective actions to improve the fire watch and operator round programs. The agreed-upon actions focus on improvements in communications, training, oversight, and observations of fire watches and operator rounds. These positive enhancements to DEP's existing programs at Plant Robinson will be implemented fleetwide. The NRC Order incorporated these voluntary commitments into Plant Robinson's license. The Company also voluntarily agreed to implement the appropriate actions referenced in the NRC Order across the Duke nuclear fleet as applicable.

Duke Energy fully understands the importance of a strong adherence to procedures and commitment to integrity and safe operation on behalf of our customers and the communities we operate in. It's important to note that the Company took immediate actions to address the concerns at issue even before the NRC investigated the matter. We used this opportunity to self-critically assess our processes to make changes aimed at enhancing our performance and maintaining our commitment to safe operation.

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The NRC has acknowledged that DEP's prompt and comprehensive actions, augmented by the elements outlined in the Confirmatory Order, address the issues raised in this matter. As a result, as noted in the Confirmatory Order, the NRC did not issue a Notice of Violation, or impose monetary penalties.

We are committed to ensuring that all our workers perform their assigned duties in full compliance with all applicable requirements and plant procedures and are also committed to continuously looking for opportunities to improve our processes. This self-critical nature sustains DEP as one of the top nuclear operators in the country. We understand the importance of ensuring that all our actions demonstrate our commitment to public health and safety and exemplify the highest standards with regard to safe operations and in how we serve our customers and the public.

Duke Energy Progress hopes this filing provides the information the Commission sought through the allowable ex parte briefing process, and if not, we are happy to supplement this information or answer questions from the Commission.

Sincerely,



Heather Shirley Smith

cc: Nanette Edwards, Office of Regulatory Services  
Dawn Hipp, Office of Regulatory Services  
Jeffrey Nelson, Esq., Office of Regulatory Services  
Carri Grube Lybarker, Esq., SC Department of Consumer Affairs